REMARKS

Applicant thanks the Examiner for the Interview held on September 11, 2008 and for indicating that the proposed amendments would overcome the art of record.

Claims 1-33 are pending. By this amendment, claims 1, 3, 10, 13, 24, and 29 are amended and new claims 34-36 are added. Independent claims 1, 13, 24, and 29 are amended to more precisely recite the novel features of the present application. Support for the amendments and new claims can be found at least in paragraphs [0009], [0018]-[0021] of the specification. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

35 U.S.C. § 102 Rejections

On page 2 the Office Action rejects claims 1, 5-10, 13, 15-17, 20-22, 24, 26-29, and 31 under 35 U.S.C. §102(b) over U.S. Patent 6,310,625 to Yoshio et al. (hereafter Yoshio).

Yoshio is directed to a method for displaying material to be edited that facilitates the editing operation. Specifically, Yoshio's method makes the editing of motion pictures easy by displaying on an editing screen not only the index and the length of a clip, but also the contents of the images included in the clip, so that an individual performing the editing can easily understand this data and can select appropriate screens for inclusion in the clip. See Yoshio, column 1, lines 10-12 and column 2, lines 8-15. However, as noted in the March 7, 2008 response, Yoshio does not disclose or suggest editing frames of video data. Furthermore, Yoshio does not disclose or suggest determining whether an index corresponding to the video data remains valid after editing of the video data by comparing the video data before editing and after editing.

To the contrary, claim 1 has been amended to more precisely recite the novel features of the present application and recites: "a video authoring engine accessible by the processor for editing a frame of video data; and a validator accessible by the processor, wherein the validator accesses index data that includes information associated with an index of the video data and determines whether the index corresponding to the video data remains valid after editing of the video data by comparing the video data before editing and after editing." As noted above, Yoshio does not disclose or suggest these features. Therefore, amended claim 1 is patentable.

Amended claims 13, 24, and 29 recite features similar to those of claim 1, and for this reason, claims 13, 24, and 29 also are patentable.

Claims 5-10 depend from patentable claim 1; claims 15-17 and 20-22 depend from patentable claim 13; claims 26-28 depend from patentable claim 24; and claim 31 depends

from patentable claim 29. For these reasons and the additional features they recite, claims 5-10, 15-17, 20-22, 26-28, and 31 also are patentable.

Withdrawal of the rejection of claims 1, 5-10, 13, 15-17, 20-22, 24, 26-29, and 31 under 35 U.S.C. §102(b) is respectfully requested.

35 U.S.C. § 103 Rejections

On page 4 the Office Action rejects claims 2-4, 14, 18-19, 25, 30, and 32 under 35 U.S.C. §103(a) over Yoshio in view of U.S. Published Patent Application 6,278,446 to Liou, et al. (hereafter Liou). This rejection is respectfully traversed.

Liou is directed to a system for interactive organization and browsing of video. However, Liou does not cure Yoshio's defect and does not disclose or suggest editing frames of video data and determining whether an index corresponding to the video data remains valid after editing of the video data by comparing the video data before editing and after editing. Therefore, amended claims 1, 13, 24, and 29 are patentable over Yoshio and Liou.

Claims 2-4 depend from patentable claim 1; claims 14, 18-19 depend from patentable claim 13; claim 25 depends from patentable claim 24; and claims 30 and 32 depend from patentable claim 29. For these reasons and the additional features they recite, claims 2-4, 14, 18-19, 25, 30, and 32 also are patentable.

Withdrawal of the rejection of claims 2-4, 14, 18, 19, 25, 30, and 32 under 35 U.S.C. §103(a) is respectfully requested.

On page 5 the Office Action rejects claims 11-12, 23 and 33 under 35 U.S.C. §103(a) over Yoshio in view of U.S. Patent 6,144,391 to Hinson, et al. (hereafter Hinson). This rejection is respectfully traversed.

Hinson is directed to an electronic video processing system. However, Hinson does not cure Yoshio's defect and does not disclose or suggest editing frames of video data and determining whether an index corresponding to the video data remains valid after editing of the video data by comparing the video data before editing and after editing. Therefore, amended claims 1, 13, and 29 are patentable over Yoshio and Hinson.

Claims 11-12 depend from patentable claim 1; claim 23 depends from patentable claim 13; and claims 33 depends from patentable claim 29. For these reasons and the additional features they recite, claims 11-12, 23, and 33 also are patentable.

Withdrawal of the rejection of claims 11-12, 23 and 33 under 35 U.S.C. §103(a) is respectfully requested.

New Claims

New claims 34-36 are allowable at least because they depend from patentable claim 1, and for the additional features they recite. For example, Yoshio, Liou, and Hinson, individually and in combination, do not disclose or suggest that "the validator determines a frame frequency for the index data by determining whether a relatively consistent or equal quantity of frames reside on the video data between indexed frames of the video data as identified by the index data," as recited in claim 34. Likewise, Yoshio, Liou, and Hinson, individually and in combination, do not disclose or suggest that "the validator is adapted to determine whether the index data defines a time-based indexing scheme for the video data by determining a frequency of an indexed frame while playing a corresponding video file at a particular speed," as recited in claim 35. Similarly, Yoshio, Liou, and Hinson, individually and in combination, do not disclose or suggest that "the validator compares information associated with pre-edit indexed frames for the video data before editing with post-edit frames of the video data after editing to determine whether the index remains valid for the video data after editing," as recited in claim 36.

Conclusion

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

Date: **September 15, 2008**

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